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11/19  
1/20/98  
J.S.B./mla  
Docket: 0270-2272  
Date: October 16, 1997

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
REQUEST FOR FILE WRAPPER CONTINUING APPLICATION  
UNDER 37 CFR 1.62

Honorable Assistant Commissioner for Patents  
Box FWC  
Washington, D.C. 20231

Sir:

This is a Request for filing a

Continuation  Divisional

under 37 CFR 1.62 of prior pending application

Serial No. 08/552,987 Art Unit: 3402  
Filed: November 3, 1995 Examiner: H. T. Vo  
Entitled: INTAKE AIR HEATER AND  
AIR DELIVERY ASSEMBLY FOR ENGINES

by the following named inventor(s):

April G. KOHRT

The above identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application. (Note: 37 CFR 1.60 may be used for applications where the prior application is not to be abandoned.)

1.  To the best of information and belief, the current correspondence address of the inventor(s) is as set forth in the attachment to this report.
2.  Enter the amendment previously filed in the prior application on \_\_\_\_\_ under 37 CFR 1.116, but unentered.
3.  A preliminary amendment is attached.
4. The filing fee is calculated on the basis of the claims existing in the prior application as amended at 2 and 3 above.

For:	No. Filed		No. Extra	Rate Sm/Lg Entity	Fee
Basic Fee				\$395/790	\$790.00
Total Claims	20	- 20	0	x 11/22	0
Independent Claims	3	- 3	0	x 41/82	0
First presentation of multiple dependent claims		\$135/270			0
Total					\$790.00

5.  Amend the specification by inserting before the first line, the sentence:  
– This application is a Continuation of Serial No. 08/552,987, filed November 3, 1995, now abandoned. –
6.  A check in the amount of \$1,740.00 is enclosed (includes Extension of Time for three months).
7.  The small entity status established in the parent application continues to be applicable and such small entity status is hereby

requested for the present application.

8. [ ] Priority is claimed under 35 USC 119 based on foreign application(s)

No.(s) \_\_\_\_\_

Filed in (country) \_\_\_\_\_

On (date): \_\_\_\_\_

[ ] Certified copy (copies) attached.

[ ] Certified copy (copies) filed on \_\_\_\_\_ in prior United States Serial No. \_\_\_\_\_ filed on \_\_\_\_\_

9. [ X ] The prior application is assigned of record to CUMMINS ENGINE COMPANY, INC.

10. [ X ] The power of attorney in the prior application is to:

Daniel W. Sixbey	Reg. No. 20,932
Stuart J. Friedman	Reg. No. 24,312
Charles M. Leedom, Jr.	Reg. No. 26,477
Gerald J. Ferguson, Jr.	Reg. No. 23,016
David S. Safran	Reg. No. 27,997
Thomas W. Cole	Reg. No. 28,290
Donald R. Studebaker	Reg. No. 32,815
Joan K. Lawrence	Reg. No. 29,940
Evan R. Smith	Reg. No. 35,683
Jeffrey L. Costellia	Reg. No. 35,483
Tim L. Brackett, Jr.	Reg. No. 36,092
Eric J. Robinson	Reg. No. 38,285
Gary M. Gron	Reg. No. 24,293

12. [ X ] The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 (except the issue fee) which may be required now or hereafter, or credit any overpayment, to Deposit Account No. 19-2380. A duplicate of this form is attached.

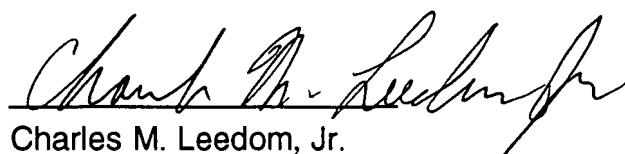
13. [ X ] It is hereby petitioned under 37 CFR 1.136 that the response term in the prior pending application be extended, if necessary, to a date which includes the filing date of the present application, and the Commissioner is hereby authorized to charge any necessary extension fee to Deposit Account No. 19-2380. The prior pending application is hereby expressly abandoned upon the award of a filing date to this application.

14. [ X ] Also enclosed: Petition For Extension of Time; Name and Address of Inventor.

Address all future correspondence to:

SIXBEY, FRIEDMAN, LEEDOM & FERGUSON, P.C.  
2010 Corporate Ridge, Suite 600  
McLean, Virginia 22102  
(703) 790-9110

Respectfully submitted,

  
Charles M. Leedom, Jr.  
Reg. No. 26,477

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